IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital: the 20th day of April 2005
Bail application no. 226 **of 2005**
Order on the bail application of accused

CRIMINAL SIDE

Rizwan S/o Sultan
R/o Village Sikrauda
Police Station Bhagwanpur
District Haridwar ... Applicant

Versus

State of Uttaranchal ... Opposite Party

Arising out of Case Crime No. 142 of 2004
Under Section 302 I.P.C.
Police Station Bhagwanpur
District Haridwar

By the court

Hon'ble B.C. Kandpal, J.

The applicant has applied for bail in case crime no.142 of 2004, Under Section 302 of I.P.C., Police Station Bhagwanpur, District Haridwar.

Heard Sri Vivek Shukla, learned counsel for the applicant, learned A.G.A. and perused the record.

The First Information Report shows that the applicant along with another person had assaulted with Chura and Gandasa on the person of the deceased. The post mortem report reveals that there is only one injury on the person of the deceased. Therefore, it cannot be ascertained at this stage as to who is the person responsible for causing injury on the person of the deceased.

Without commenting on the merit of this case, I find sufficient ground to enlarge the applicant on bail.

Let the applicant, namely, Rizwan be released on bail on his executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

20.04.2005
ASWAL